

TOWN OF CLAYTON
 Town Plan Commission
 Meeting Minutes
 7:00 P.M. – on Wednesday, December 9th, 2015
 Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Plan Commission Chairman Knapinski called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Plan Commission Members

Chair Knapinski	PRESENT
Commissioner Eckstein	ABSENT
Commissioner Haskell	PRESENT
Commissioner Wisnefske	PRESENT
Commissioner Dorow	PRESENT
Commissioner Linsmeier	PRESENT
Town Board Representative Reif	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Straw	PRESENT
Planner Ken Jaworski	PRESENT

II. Public Hearings:

A. Public Hearing before the Plan Commission on a Conditional Use Application submitted by the petitioner(s): Jeff Howts, owner of Cruisin’ Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM of Tax ID # 006-0896, being all of Lot 2 of CSM 5026 being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Jim Heiser, 2830 Oakridge Rd, Neenah, WI. Expressed concern regarding the noise and the number of days and times of the business. Open at 9:00 a.m. and close at 8:00 p.m. all days of the week. Didn’t feel there was enough notice of the meeting which Chair Knapinski mentioned that the notice met the Wisconsin statutory requirements.
- Bob Flemming 1537 Ames Street, Neenah, WI. He is the son-in-law of Robert and Audrey Bellin on their behalf who lives at 2741 Oakridge Rd, Neenah, WI. Mr. Flemming went into detail about what the Bellin’s do and do not want with this business and how it affects their property value. Spoken on behalf of the Bellin’s who are against this condition use permit.
- Chair Knapinski discussed the “right to farm” language on the CSM. Typically when development comes into a development property values tend to rise.
- Administrator Johnston discussed the details of a conditional use permit. The permit would be limited to what was previously approved by the Town Board.

- Tom Flemming, 7363 Carden Dr, Neenah, WI. Concerned about the noise and he also lives near State Rd 76. Spoken against this conditional use permit.
 - Debbie Drake, 7578 State Rd 76, Neenah, WI. She expressed concern on the short notice. She does not want additional noise in her neighborhood from motorcycles. Concerned about livestock and traffic increase. She wants to know what type of building of building and would more asphalt be in the business area.
 - Jeff Howts, 2348 Comet St, Oshkosh, WI 54901. He presented his site plan to the Public. He explained his business operation. The motorcycles his students will be trained on will 125 to 250cc street bikes will be no higher than 500cc. Some lawnmowers and the sound from State Rd 76 will be louder than the motorcycles he will be running. He plans to plant some berms around the property. Discussed the safety classes, the building layout and the business hours.
 - Commissioner Wisnefske asked what the size of the motorcycles would be and Mr. Howts said 125 to 250cc street bikes.
 - Bob Flemming 1537 Ames Street, Neenah, WI on behalf of Robert and Audrey Bellin, who lives at 2741 Oakridge Rd, Neenah, WI. Asked about car parking vs. parking lot use for cycle training.
 - Administrator Johnston comments about parking on Public Right of Way.
 - Amelia Klinka, 228 Mandella Ct, Neenah, WI. Commented that there is a retention pond and was wondering if more than one could be added.
 - Chair Knapinski discussed retention ponds in other areas of the Town of Clayton.
 - Public hearing on this issue closed at 7:37 p.m.
- B. Public Hearing before the Plan Commission on a re-zoning application submitted by the petitioner(s), Dennis H. and Carol B. Gehrt, 7379 Carden Drive, Neenah, WI 54956 for a portion of the property located immediately east of 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton, specifically described as a portion of Tax ID # 006-0901-04-07 and located in Section 36, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to B-2 (COMMUNITY BUSINESS DISTRICT).
- William Kordus, 7376 Carden Dr, Neenah, WI. Expressed concern regarding water and navigable waterway along the north lot line that has standing water. With more building and blacktop more water will be running off of those areas.
 - Administrator Johnston responded regarding drainage in area and the property on the application. Discussed shore land zoning. The navigable waterway goes through residential neighborhoods and turns along property lines in Oakcrest Manor.
 - Tom Flemming, 7363 Carden Dr, Neenah, WI. Asked about what is going to built. Chair Knapinski discussed consideration of the site plan before construction could begin.
 - Public hearing closed on this issue at 7:47 p.m.
- C. Public Hearing before the Plan Commission on a re-zoning application submitted by the petitioner(s), Guy K. and Brenda S. Gruett, 3152 Buttercup Road, Neenah, WI 54956 to request that the following property located at 3118 Larsen Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0607-01 being part of the southeast ¼ of the southwest ¼ all in Section 23, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-2 (SUBURBAN RESIDENTIAL DISTRICT).
- No one appeared to discuss this issue. Public hearing closed at 7:48 p.m.

D. Public Hearing before the Plan Commission on a re-zoning application submitted by the petitioner(s), James A. and Lavern L. Sturgis, 1740 Oakridge Road A, Neenah WI 54956 to request that a portion of the following property located on the west side of Pioneer Road south of CTR “II” in the Town of Clayton and specifically described as a portion of Tax ID # 006-0531, being part of Lot 1 of Certified Survey Map Number 4094 as recorded in Volume 1 of Certified Survey Maps on page 4094 as Document Number 1030255, located in the southeast ¼ of the northeast ¼ all in Section 20, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT).

- No one appeared to discuss this issue. Public hearing closed at 7:49 p.m.

III. Approval of Minutes:

A. Approval of the minutes of the Wednesday, November 11th, 2015 Regular Plan Commission Meeting.

MOTION:

Motion by: Commissioner Reif

Seconded by: Commissioner Linsmeier

Motion: Motion to approve the Wednesday, November 11th, 2015 meeting minutes.

Vote: Motion carried.

IV. Open Forum – Town-related Matters not on the Plan Commission’s Agenda:

Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present question or issue; however, only limited discussion may occur and no action may be taken until specific notice of the subject matter of the proposed action can be given. If you wish to speak during the Open Forum portion of the meeting, please complete “Request to Speak at Meeting” form located on the Agenda Table and give the form to the Town Clerk or Treasurer.

V. Correspondence:

A. November CY 2015 Building Inspection Report.

B. Notice from the Winnebago County Plan Commissioner Network.

VI. Business:

A. Discussion/Recommendation: Plan Commission review and consideration of a Conditional Use Application submitted by the petitioner(s): Jeff Howts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM of Tax ID # 006-0896, being all of Lot 2 of CSM 5026 being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The property is located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM of Tax ID # 006-0896, being all of Lot 2 of CSM 5026 being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Jeff Howts
2211 Oregon Street
Oshkosh, WI 54901

Property Owner(s): Glenn Mc Cann
646 Fourth Street
Menasha, WI 54952

Property Information:

1. The surrounding properties are zoned:
 - a) North:
R-1 (Rural Residential District), R-2 (Suburban Residential District), and A-2 (General Agriculture District)
 - b) South:
B-2 (Community Business District) and B-3 (General Business District)
 - c) East:
A-2 (General Agriculture District)
 - d) West:
A-2 (General Agriculture District)

Property Information Specific to Tax ID # 006-0895:

1. Glenn Mc Cann, 646 Fourth Street, Menasha, WI 54952.
2. The Lot is 32.040 acres in size (Lot 2 is 14.00 acres).
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing area.
5. The property has a Wisconsin Department of Transportation Setback of 50 feet from the Right-Of-Way.
6. The property is currently zoned A-2 (General Agricultural District) by the County.
7. The property is currently zoned A-2 (General Agricultural District) by the Town.
8. The property is in the City of Neenah Extra-Territorial Zoning District.
9. The property is out of the County's Floodplain Zoning Area.
10. The property is in the County Shoreland Zoning 300 foot buffer.
11. The property is not in the County's Wetland Identifier.
12. The land use on the property is consistent with the Town's adopted Comprehensive Plan.

Staff Comments:

1. The Applicant has requested a Conditional Use Permit for the purposes of operating a motorcycle and automobile driver training school on property located on the north end of Black Top Way, Neenah, WI 54956.
2. Please be advised that the Administration believes that the proposed Conditional Use makes an ideal buffer between the residential development on and north of Oakridge Road and the Commercial development that is taking place around and south of Fox Valley Asphalt. The Administration is comfortable that, over time, the three housing units between Fox Valley Drive

- and Oakridge Road will convert to a commercial use and since the north end of the property in question is not accessible from STH “76” it will provide the development transition point between the commercial development to the south and the residential development to the north.
3. The Applicant would like a Conditional Use Permit to operate the business on property zoned A-2 (General Agricultural District) on Lot-2 of the recently approved CSM. The issue for staff is what elements of the business can the Applicant conduct by right on the property as it is zoned?
 4. It is the Administration’s position that the following elements can be conducted by right:
 - a. The proposed principal residential structure is allowable by right in A-2 (General Agricultural District).
 - b. The proposed accessory structures are allowable, with certain size limitations, in A-2 (General Agricultural District).
 - c. The proposed driveway is allowable by right in A-2 (General Agricultural District).
 - d. The proposed parking lot is an allowable use by right in A-2 (General Agricultural District).
 5. The following items are allowable by Conditional Use in A-2 (General Agricultural District):
 - a. A Home Occupation Major is allowable by Conditional Use subject to certain limitations and to the owner of the business living in the principal structure located on the property.
 6. The question that needs to be resolved involves the use of the parking lot.
 - a. Specifically, the parking lot is an allowable use by right in A-2 (General Agricultural District).
 - b. Since the Town does not license businesses in the Town one could use any parking lot in Town for a driver’s training program without specific limitations. Given this condition, is it reasonable for the Town to limit the use of the parking lot on the site?
 - c. The Administration believes that the Town can condition the aesthetics of the parking lot but not limit the use. This position is based on the fact that any parking lot could be used for drivers training without limiting conditions.
 7. Relative to the specifics of the Conditional Use Application and Lot 2 of the recently approved Certified Survey Map (CSM), the Administration has the following observations.
 8. The property is divided into three general areas. The southernmost area is intended to provide access to the property, the residential structure, the parking lot area, and the Shop/Classroom facility. The center area is a green space. The northern end of the Lot is intended to house the residential structure. All three areas are accessed by a driveway that runs along the western property line.
 9. The drivers training business can be run from an office facility in the residential structure, the educational process can be conducted in a classroom in an accessory building, and the maintenance facility can be housed in the shop portion of the same accessory building.
 10. The parking lot is intended to be developed as a 100 foot by 200 foot paved area. This paved area will be used for the initial motorcycle/automobile training following the classroom session. The training is customarily done at very low speeds on a route defined on the parking lot using traffic control cones to define a course that students are to follow. Once the initial classroom and parking lot training is completed the students are taken on public roads to finish their training.
 11. Staff has some basic considerations it would recommend as part of developing the project.
 12. All structures on the site should be Zoning Code compliant, Uniform Dwelling Code compliant, and State Code compliant.
 13. Access for all of the development on the site will come from a single driveway at the northern terminus of the Cul-De-Sac on Black Top Way.
 14. Any driveway should run in a 33-foot corridor along the western boundary that extends to the northern property line.

15. The purpose of the corridor is to preserve a 66-foot road Right-Of-Way in order to reserve the ability to subdivide the property in the future.
16. The parking lot/training area should be bermed on all four sides with a vegetative barrier on the berm to provide a visual barrier for the site.
17. The Plan Commission and the Town Board should waive the requirements for parking islands on the paved parking lot/training area.
18. A Zoning Code compliant onsite paved parking area should be provided for the customers of the business.
19. Any and all vehicles used in the business should be Department of Transportation (DOT) compliant and have no modifications made to their respective exhaust systems.
20. Any and all maintenance and storage of vehicles involved in the business should be within the confines of shop building.
21. Any trailers used in the business should be stored in an orderly fashion adjacent to the principal structure on the site.
22. There should be a limitation to the hours of operations for any and all outside activities.
23. There should be a limit of on the number of riders on the parking/training lot to 20 students at any single time.
24. There should be no off road motorcycle training and/or schooling on the site.

Staff Recommendations:

Staff recommends approval of a Conditional Use Application submitted by the Petitioner(s), Jeff Howts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM of Tax ID # 006-0896, being all of Lot 2 of CSM 5026 and being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin subject to the following conditions:

1. The property will be considered to be divided into three general areas. The southernmost area is intended to provide access to the property, the residential structure, the parking lot area, and the Shop/Classroom facility. The center area is a green space. The northern end of the Lot is intended to house the residential structure.
2. All three areas shall be accessed by a driveway that runs along the western property line.
3. The driver training business will be run from an office facility in the residential structure, the educational process can be conducted in the classroom in an accessory building, and the maintenance facility can be housed in the shop portion of the same accessory building.
4. The parking lot/paved training area is intended to be developed as a 100 foot by 200 foot paved area. Any expansion of the paved area shall require an amendment to the Conditional Use Permit.
5. All structures on the site shall be Zoning Code compliant, Uniform Dwelling Code compliant, and State Code compliant.
6. Access for all of the development on the site shall come from a single driveway at the northern terminus of the cul-de-sac on Black Top Way.
7. The driveway shall run in a 33-foot corridor along the western boundary that extends to the northern property line.
8. The purpose of the corridor shall be to preserve a 66-foot road right-of-way in order to reserve the ability to subdivide the property in the future.
9. The parking lot/training area shall be bermed on all four sides with a vegetative barrier on the berm to provide a visual barrier for the site.
10. The Plan Commission and the Town Board shall waive the requirements for parking islands on the paved parking lot/training area.

11. A Zoning Code compliant onsite paved parking area shall be provided for the customers of the business.
12. There shall be no customer and/or resident parking on the Public Rights-Of-Way of Black Top Way and/or Fox Valley Drive.
13. Any and all vehicles used in the business shall be Department of Transportation (DOT) compliant and shall have no modifications made to their respective exhaust systems.
14. Any and all maintenance and storage of vehicles involved in the business shall be done within the confines of the shop building.
15. Any trailers used in the business shall be stored in an orderly fashion adjacent to the principal structure on the site.
16. The hours of operations for any and all outside activities shall be between 9:00 A.M. and 8:00 P.M. seven day per week.
17. There shall be a limit on the number of riders on the parking/training lot to 20 students at any single time.
18. There shall be no off-road motorcycle training and/or schooling on the site.
19. The Applicant shall pay any and all fees levied by the Town for the application process.
20. The Applicant shall have approval of the proposed Conditional Use by any overlying unit of government having jurisdiction.

- Administrator Johnston discussed the zoning in an A-2 zone for a parking lot. Mr. Howts could also rent part of the parking lot from possibly Headliners or Willie Beamon's and we could not control that being done. Mr. Howts would not be able to teach motocross but he could ride his own motocross cycle. The Town of Clayton can put conditions on the use permit that would allow or disallow some activities.
- Chair Knapinski discussed the Staff Recommendations numbers 1 through 20 as listed above. Water flow issues with the addition of parking lots and buildings, etc. should go into the retention pond and stream near the property.
- Administrator Johnston recommended that you put the parking lot as far south as you can so the water would go south of the berm.
- Commissioner Haskell discussed the types of lighting to be used in the parking lot and around the property. Generally be run during the season where night time lighting would not be needed. Would like to see the site development and drainage plan.
- Planner Jaworski suggested the Commission use the proposal by Mr. Howts and the intention of the home occupation business.
- Chair Knapinski discussed other additions to the conditional use application.
 - No motorcycles used in training should be larger than 500cc and no street pipes allowed.
 - Outdoor training will not be conducted more than 8 hours in a single day between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday.
 - Outdoor Training shall be limited to the hours of 8:00 a.m. and 7:00 p.m. on Saturday and Sunday.
 - Training shall be limited to no more than 5 days in any calendar week.
 - That any lighting on the site be limited to residential lighting with no lighting of the parking lot area.
 - Stormwater drainage for southern part of property.

MOTION:

Motion by: Commission Chair Knapinski

Seconded by: Commissioner Dorow

Motion: To recommend approval of a Conditional Use Application submitted by the petitioner(s): Jeff Howts, owner of Cruisin Safely Motorcycle & Driving Instruction, LLC, 2211 Oregon Street, Oshkosh, WI 54901 for a Home Occupation Major on property located at the north end of Black Top Way, Neenah, WI 54956 and specifically described as Lot 2 of the recently approved CSM of Tax ID # 006-0896, being all of Lot 2 of CSM 5026 being part of the Northwest ¼ of the Northwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 36, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. Add the six additional conditions as listed above.

Vote: Motion carried.

- B. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by the petitioner(s), Dennis H. and Carol B. Gehrt, 7379 Carden Drive, Neenah, WI 54956 for the following properties located at 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0901-03 and a portion of the property located immediately east of 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton and specifically described Tax ID # 006-0901-04-07 all located in Section 36, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Site Location: The properties are located at 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0901-03 and a portion of the property located immediately east of 2884 CTR “JJ”, Neenah, WI 54956 in the Town of Clayton and specifically described Tax ID # 006-0901-04-07 all located in Section 36, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Dennis H. and Carol B. Gehrt
7379 Carden Drive
Neenah, WI 54956

Property Owner(s): Dennis H. and Carol B. Gehrt
7379 Carden Drive
Neenah, WI 54956

Consultant: David Schmalz (S1284)
McMahon Engineering/Architects
1445 McMahon Drive
Neenah, WI 54956

Property Location: 2884 CTR “JJ” and a portion of the property located immediately east of 2884 CTR “JJ”
Neenah, WI 54956

Property Information:

- 1) The surrounding properties are zoned:
 - a) North:
A-2 (General Agriculture District)
 - b) South:
Town of Vinland
 - c) East:
A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - d) West:
B-2 (Community Business District) and B-3 (General Business District)

Property Information Specific to Tax ID # 006-0901-04-07:

The statements on the status of the property are specific to the proposed project site:

1. The property Tax ID is # 006-0901-04-07.
2. The property consists of approximately 11.89 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing Area.
5. The property has a mapped 100-foot Right-Of-Way on CTH"JJ".
6. The property is currently Zoned A-2 (General Agricultural District) by the Town.
7. The property is subject to the City of Neenah's Extra Territorial Zoning Jurisdiction.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.
10. The land use is consistent with the Town's adopted Land Use Plan.

Property Information Specific to Tax ID # 006-0901-03:

The statements on the status of the property are specific to the proposed project site:

1. The property Tax ID is # 006-0901-03.
2. The property consists of approximately 1.200 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing Area.
5. The property has a mapped 100-foot Right-Of-Way on CTH"JJ".
6. The property is currently Zoned B-2 (Community Business District) by the Town.
7. The property is subject to the City of Neenah's Extra Territorial Zoning Jurisdiction.
8. The property is out of the County's Floodplain Zoning Area.
9. The property is not in the County's Wetland Identifier.
10. The land use is consistent with the Town's adopted Land Use Plan.
11. The proposed land use re-zoning is consistent with the Town's Future Land Use Plan.

Staff Comments:

1. The proposed Certified Survey Map (CSM) consolidates Tax ID#006-0901-03 with a portion of the adjoining property to the east identified as Tax ID # 006-0901-04-07.
2. The consolidated Lot is approximately 2.50 acres +/-.
3. The CSM does dedicate the Right-Of-Way of CTR"JJ" in front of the property located at 2884 CTR "JJ", Neenah, WI 54956.
4. The CSM does show the Right to Farm Language required by the Town.
5. The property located at 2884 CTR "JJ", Neenah, WI 54956 and specifically identified as Tax ID#006-0901-03 has an existing structure and access point from CTR"JJ".

6. All of the buildings on the parent parcel do meet the Zoning Code setback requirements for the B-2 (Community Business District).
7. The CSM and the proposed re-zoning allow for a change in the existing use of the property that is consistent with the Town’s approved Future Land Use Plan.
8. The Lot created by the proposed CSM was designed to allow for a linear extension of the Public Right-Of-Way on the street south on CTH”JJ” in the Town of Vinland.

Staff Recommendations:

Staff recommends approval of the proposed rezoning subject to the following conditions:

1. Approval of the Re-zoning Application submitted for the same property.
 2. Documentation of the approval of the proposed CSM by any overlying unit of government having jurisdiction.
 3. The payment of any and all fees due to the Town.
- Administrator Johnston discussed the specific area which is part of the re-zoning application. Discussed the drainage issues off Carden Lane with the farm fields nearby.
 - Chair Knapinski wanted the right to farm language in the CSM. Discussion will be proposed for the Future Land Use Map (Zoning).

MOTION:

Motion by: Commissioner Reif

Seconded by: Commissioner Wisnefske

Motion: Motion to recommend to the Town Board to approve the CSM application of Dennis and Carol Gehrt with staff recommendations.

Vote: Motion carried.

- C. Discussion/Recommendation: Plan Commission review and consideration of a re-zoning application submitted by the petitioner(s), Dennis H. and Carol B. Gehrt, 7379 Carden Drive, Neenah, WI 54956 for a portion of the property located immediately east of 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton and specifically described as a portion of Tax ID # 006-0901-04-07 located in Section 36, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to B-2 (COMMUNITY BUSINESS DISTRICT).

Site Location: The property is located immediately east of 2884 CTR “JJ”, Neenah, WI 54956, in the Town of Clayton, specifically described as a portion of Tax ID # 006-0901-04-07 and located in Section 36, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Applicant(s): Dennis H. and Carol B. Gehrt
7379 Carden Drive
Neenah, WI 54956

Property Owner(s): Dennis H. and Carol B. Gehrt
7379 Carden Drive
Neenah, WI 54956

Consultant: David Schmalz
McMahon Engineering/Architects
1445 McMahon Drive
Neenah, WI 54956

Property Location: Immediately east of 2884 CTR “JJ”
Neenah, WI 54956

Property Information:

- 1) The surrounding properties are zoned:
 - a) North:
A-2 (General Agriculture District)
 - b) South:
Town of Vinland
 - c) East:
A-2 (General Agriculture District) and R-1 (Rural Residential District)
 - d) West:
B-2 (Community Business District) and B-3 (General Business District)

Property Information Specific to Tax ID # 006-0901-04-07:

The statements on the status of the property are specific to the proposed project site:

1. The property Tax ID is # 006-0901-04-07.
2. The property consists of approximately 11.89 acres.
3. The property is in the Neenah School District (3892).
4. The property is in the Department of Natural Resources Special Well Casing Area.
5. The property has a mapped 100-foot Right-Of-Way on CTH”JJ”.
6. The property is currently Zoned A-2 (General Agricultural District) by the Town.
7. The property is subject to the City of Neenah’s Extra Territorial Zoning Jurisdiction.
8. The property is out of the County’s Floodplain Zoning Area.
9. The property is not in the County’s Wetland Identifier.
10. The land use is consistent with the Town’s adopted Land Use Plan.

Staff Comments:

1. The property is being re-zoned to allow for the consideration of a Certified Survey Map (CSM) that has been presented to the Town and placed on the Plan Commission’s agenda for review and consideration.
2. The proposed re-zoning is consistent with the adjoining properties and will allow the Plan Commission to review the proposed CSM as a document that is consistent and compliant with the Town’s B-2 (Community Business District) Zoning Code requirements.
3. Based on the approval of the Certified Survey Map (CSM) the proposed Lot will be accessible from the existing code compliant frontage and access point from CTH”JJ”.
4. The lot, as is, does meet all of the Town’s Zoning Code requirements.
5. The current agricultural use of the property is consistent with the Town’s approved Comprehensive Plan.
6. The proposed rezoning and future use are consistent with the Town’s approved Future Land Use Map.

Staff Recommendations:

Staff recommends approval of the proposed rezoning subject to the following conditions:

1. Approval of the CSM submitted for the same property.
 2. Documentation of the approval of the proposed rezoning by any overlying unit of government having jurisdiction.
 3. The payment of any and all fees due to the Town.
- Administrator Johnston discussed the current zoning of the property.

MOTION:

Motion by: Commissioner Reif

Seconded by: Commissioner Linsmeier

Motion: Motion to recommend to the Town Board to approve the re-zoning application specifically described as a portion of Tax ID # 006-0901-04-07 submitted by Dennis and Carol Gehrt with staff recommendations.

Vote: Motion carried.

D. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by the petitioner(s) Guy K. and Brenda S. Gruett, 3152 Buttercup Road, Neenah, WI 54956 for the following properties located at 3152 Buttercup Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-1404 and 3118 Larsen Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0607-01 being part of the southeast ¼ of the southwest ¼ all in Section 23, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Administrator Johnston is recommending R-2 zoning which would be consistent with the surrounding properties. Discussion regarding road access from Larsen Road.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commissioner Linsmeier

Motion: Motion to recommend to the Town Board to approve the CSM application for Tax ID # 006-0607-01 submitted by Guy and Brenda Gruett with staff recommendations.

Vote: Motion carried.

E. Discussion/Recommendation: Plan Commission review and consideration of a re-zoning application submitted by the petitioner(s), Guy K. and Brenda S. Gruett, 3152 Buttercup Road, Neenah, WI 54956 request that the following property located at 3118 Larsen Road, Neenah, WI 54956, in the Town of Clayton and specifically described as Tax ID # 006-0607-01 being part of the southeast ¼ of the southwest ¼ all in Section 23, Township 20 North , Range 16 East, Town of Clayton,

County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-2 (SUBURBAN RESIDENTIAL DISTRICT).

- Discussed possible driveway roadway access changes in the future if more properties were to be built.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commissioner Wisnefske

Motion: Motion to approve the re-zoning application for Tax ID # 006-0607-01 submitted by Guy and Brenda Gruett with staff recommendations.

Vote: Motion carried.

- F. Discussion/Recommendation: Plan Commission review and recommendation on a Certified Survey Map (CSM) Application submitted by the petitioner(s), James A. and Lavern L. Sturgis, 1740 Oakridge Road A, Neenah WI 54956 for property located on the west side of Pioneer Road south of CTR "II" in the Town of Clayton and specifically described as a portion of Tax ID # 006-0531 being part of Lot 1 of Certified Survey Map Number 4094 as recorded in Volume 1 of Certified Survey Maps on page 4094 as Document Number 1030255, located in the southeast ¼ of the northeast ¼ all in Section 20, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

- Administrator Johnston discussed access points on Pioneer Road. Mr. Sturgis wants to add one more lot to his property. Normally a chunk of property would be developed and have one or two access areas.
- Chair Knapinski stated that we are separating more lots with an area that could eventually turn into County Road T. With this only being an acre lot does not justify another access point.

MOTION:

Motion by: Commissioner Haskell

Seconded by: Commission Chair Knapinski

Motion: To recommend denial of a Certified Survey Map (CSM) Application submitted by the petitioner(s), James A. and Lavern L. Sturgis, 1740 Oakridge Road A, Neenah WI 54956 for property located on the west side of Pioneer Road south of CTR "II" in the Town of Clayton and specifically described as a portion of Tax ID # 006-0531 being part of Lot 1 of Certified Survey Map Number 4094 as recorded in Volume 1 of Certified Survey Maps on page 4094 as Document Number 1030255, located in the southeast ¼ of the northeast ¼ all in Section 20, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Vote: Motion failed on a 4 to 2 Roll Call Vote with Commission Chair Knapinski and Commissioner Haskell voting in the minority.

SECOND MOTION:

Motion by: Commissioner Reif

Seconded by: Commissioner Linsmeier

Motion: To recommend approval of a Certified Survey Map (CSM) Application submitted by the petitioner(s), James A. and Lavern L. Sturgis, 1740 Oakridge Road A, Neenah WI 54956 for property located on the west side of Pioneer Road south of CTR “II” in the Town of Clayton and specifically described as a portion of Tax ID # 006-0531 being part of Lot 1 of Certified Survey Map Number 4094 as recorded in Volume 1 of Certified Survey Maps on page 4094 as Document Number 1030255, located in the southeast ¼ of the northeast ¼ all in Section 20, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

Vote: Motion passed on a Voice Vote with Commission Chair Knapinski and Commissioner Haskell voting in the minority.

- G. Discussion/Recommendation: Plan Commission review and recommendation on a re-zoning application submitted by the petitioner(s), James A. and Lavern L. Sturgis, 1740 Oakridge Road A, Neenah WI 54956 to request that the following property located on the west side of Pioneer Road south of CTR “II” in the Town of Clayton and specifically described as a portion of Tax ID # 006-0531 being part of Lot 1 of Certified Survey Map Number 4094 as recorded in Volume 1 of Certified Survey Maps on page 4094 as Document Number 1030255, located in the southeast ¼ of the northeast ¼ all in Section 20, Township 20 North , Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin to be rezoned from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT).

MOTION:

Motion by: Commissioner Dorow

Seconded by: Commissioner Linsmeier

Motion: Motion to recommend approval of the re-zoning application for Tax ID# 006-0531 submitted by James and Lavern Sturgis with staff recommendations.

Vote: Motion carried.

- H. Discussion/Recommendation: Plan Commission review and consideration of changes to the Draft Comprehensive Plan Maps and Documents based on input from the Public Listening Session for the Town’s CY 2016 Comprehensive Plan Update.
- Planner Jaworski discussed proposed changes and the roads within “working lands” (A-1) on the proposed Future Land Use map. Some changes by Winnebago County could come in the future. In the Oakwood are more residential homes have been added. Mentioned areas that could be homes for multi-family residences. Discussed some parcels around the Town of Clayton such as Center Road, etc.
 - Supervisor Lettau, 3795 County Rd II, Larsen, WI. Two 40 acre parcels south of Hidden Park want to be added.

NO ACTION TAKEN

VII. Upcoming Meeting Attendance
None.

VIII. Adjournment

MOTION:

Motion by: Commissioner Linsmeier

Second by: Commissioner Haskell

Motion: To Adjourn the Plan Commission meeting at 9:24 PM.

Vote: Motion carried.

Respectfully submitted,
Laurie L. Goffard, Deputy Clerk